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FM AMEMBASSY JAKARTA  
TO RUEHC/SECSTATE WASHDC PRIORITY 8541  
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS  
RUEHBJ/AMEMBASSY BEIJING 4865  
RUEHBY/AMEMBASSY CANBERRA 2253  
RUEHNE/AMEMBASSY NEW DELHI 1705  
RUEHPB/AMEMBASSY PORT MORESBY 3740  
RUEHKO/AMEMBASSY TOKYO 1743  
RUEHWL/AMEMBASSY WELLINGTON 2483  
RUEHHK/AMCONSUL HONG KONG 2539  
RUEHBD/AMCONSUL PERTH 0672  
RHEHNSC/NSC WASHDC  
RUEAIIA/CIA WASHDC  
RHHJJPI/USPACOM HONOLULU HI

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 000666

SIPDIS

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DEPT FOR EAP, EAP/MTS, EAP/MLS  
NSC FOR EPHU

E.O. 12958: DECL: 04/03/2018

TAGS: [PGOV](#) [KDEM](#) [KISL](#) [ID](#)

SUBJECT: IN SHIFT, INDEPENDENT CANDIDATES CLEARED TO  
CONTEST ELECTIONS

REF: A. JAKARTA 633

[1](#)B. 07 JAKARTA 2051

[1](#)C. 07 JAKARTA 1157

JAKARTA 00000666 001.2 OF 002

Classified By: Pol/C Joseph Legend Novak, reasons 1.4(b+d).

[1](#)1. (C) SUMMARY: The Indonesian House of Representatives (DPR) passed a landmark amendment April 1 paving the way for independent candidates to contest local elections. The amendment will take effect this June and comes in response to a court ruling. The revised law does not apply to the presidential or national legislative elections, so Indonesian Ross Perots must wait. Most observers believe the amendment will open up the Indonesian electoral process further, making it more responsive. END SUMMARY.

#### LANDMARK AMENDMENT

[1](#)2. (C) Indonesian elections just got more exciting. On April 1, the DPR formally amended Law Number 32/2004 on local governments to allow independent candidates to participate in elections at the governor, mayor, and regent (district head) levels. The amendment was passed in response to a July 2007 Constitutional Court ruling that declared the practice of excluding independents from local elections un-constitutional and un-democratic (Ref B).

[1](#)3. (C) Up to this point, independent candidates had been allowed to participate in local elections only in Aceh in Sumatra (based on the accord that ended the conflict there). Provided the President signs the revised bill by May--which seems highly likely--the new regulations will take effect in June. The revised law does not apply to the presidential or national legislative elections. (Note: The Constitutional Court decision that precipitated the amendment to the law was related to local elections only.)

[1](#)4. (C) The revised law requires prospective candidates to meet certain rigid thresholds in order to contest elections. Gubernatorial candidates will be required to collect

signatures from registered voters representing between three and four percent of the total population of the area. Candidates for mayoral or regency offices will need qualifying signatures from between three and 6.5 percent of the populace.

¶5. (C) The amendment also requires independent candidates to pay a fine of up to two million dollars should they decide to withdraw from the election at any point after receiving approval from the local electoral commission. Party candidates, on the other hand, may pull out of an election race without incurring a financial penalty, a double standard that critics have lambasted.

#### NOT TOO LATE FOR 2008 RACES

¶6. (C) The new law will take effect too late for independent candidates to contest this month's gubernatorial election in West Java (Ref A). Independent candidates will have the opportunity to contest seven different gubernatorial elections between June and December of this year (including in such key areas as Central Java), however.

#### DEMOCRACY STILL ON THE MARCH

¶7. (C) Most observers agree that on balance the bill is a very positive development for Indonesia's young democracy. Last year's Jakarta gubernatorial race (Ref C) provided a stark illustration of the limitations of Indonesian participatory democracy when several strong candidates were crowded out of the race by colluding parties. Parties will no longer have the power to sideline reform-minded candidates unwilling to pay the exorbitant fees required to secure party support. The amendment should open up the Indonesian regional electoral process and compel political parties to be more responsive and accountable.

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HUME